

## UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

Crown Packaging Technology, Inc., et al.,  
 Plaintiffs  
 v.  
 Ball Metal Beverage Container Corp., Defendant

)  
)  
)  
)  
)

Case No.: 3:05-cv-00281

## BILL OF COSTS

Judgment having been entered in the above entitled action on 04/12/2012 against Plaintiffs,  
*Date*  
 the Clerk is requested to tax the following as costs:

Fees of the Clerk .....	\$ _____
Fees for service of summons and subpoena .....	_____
Fees for printed or electronically recorded transcripts necessarily obtained for use in the case .....	16,619.14
Fees and disbursements for printing .....	_____
Fees for witnesses ( <i>itemize on page two</i> ) .....	0.00
Fees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case. ....	_____
Docket fees under 28 U.S.C. 1923 .....	_____
Costs as shown on Mandate of Court of Appeals .....	_____
Compensation of court-appointed experts .....	_____
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828 .....	_____
Other costs ( <i>please itemize</i> ) .....	_____
TOTAL	\$ 16,619.14

**SPECIAL NOTE:** Attach to your bill an itemization and documentation for requested costs in all categories.

## Declaration

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill has been served on all parties in the following manner:

☒ Electronic service ☐ First class mail, postage prepaid

☐ Other: \_\_\_\_\_

s/ Attorney: \_\_\_\_\_

Name of Attorney: John D. Luken

For: Defendant Ball Metal Beverage Container Corp. Date: 12/18/2012  
*Name of Claiming Party*

## Taxation of Costs

Costs are taxed in the amount of \_\_\_\_\_ and included in the judgment.

By: \_\_\_\_\_

*Clerk of Court*

*Deputy Clerk*

*Date*

**Witness Fees (computation, cf. 28 U.S.C. 1821 for statutory fees)**

## NOTICE

"Sec. 1924. Verification of bill of costs."

**See also Section 1920 of Title 28, which reads in part as follows:**

"A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree."

**The Federal Rules of Civil Procedure contain the following provisions:**

**RULE 54(d)(1)**

### Costs Other than Attorneys' Fees.

Unless a federal statute, these rules, or a court order provides otherwise, costs — other than attorney's fees — should be allowed to the prevailing party. But costs against the United States, its officers, and its agencies may be imposed only to the extent allowed by law. The clerk may tax costs on 14 day's notice. On motion served within the next 7 days, the court may review the clerk's action.

## RULE 6

(d) Additional Time After Certain Kinds of Service.

When a party may or must act within a specified time after service and service is made under Rule 5(b)(2)(C), (D), (E), or (F), 3 days are added after the period would otherwise expire under Rule 6(a).

**RULE 58(e)**

**Cost or Fee Awards:**

Ordinarily, the entry of judgment may not be delayed, nor the time for appeal extended, in order to tax costs or award fees. But if a timely motion for attorney's fees is made under Rule 54(d)(2), the court may act before a notice of appeal has been filed and become effective to order that the motion have the same effect under Federal Rule of Appellate Procedure 4(a)(4) as a timely motion under Rule 59.

**EXHIBIT A**

<b>Date</b>	<b>Witness</b>	<b>Court Reporter</b>	<b>Amount</b>	
09/27/06	Tony Grandinetti (Day 1)	Alderson Reporting Co., Inc.	\$ 1,848.25	Deposition taken by Crown
09/27/06	Tony Grandinetti (Day 2)	Alderson Reporting Co., Inc.	\$ 235.58	Deposition taken by Crown
09/28/06	Rick McCauley	Alderson Reporting Co., Inc.	\$ 351.64	Deposition taken by Crown
10/03/06	Bruce Doelling	Alderson Reporting Co., Inc.	\$ 1,635.60	Deposition taken by Crown
10/05/06	Ralph Stodd	Alderson Reporting Co., Inc.	\$ 1,796.60	Deposition taken by Crown
11/08/06	Jess Bathurst	Alderson Reporting Co., Inc.	\$ 1,532.85	Deposition taken by Crown
11/09/06	Tuan Nguyen	Alderson Reporting Co., Inc.	\$ 1,045.26	Deposition taken by Crown
12/07/06	Leon Midgett	Alderson Reporting Co., Inc.	\$ 714.34	Deposition taken by Crown
04/17/07	Dean Scranton (validity)	Ace-Merit, LLC	\$ 836.00	Deposition taken by Crown
04/19/07	Dean Scranton (infringement)	Ace-Merit, LLC	\$ 303.50	Deposition taken by Crown
05/30/07	Andrew Carter	Alderson Reporting Co., Inc.	\$ 1,498.82	Deposition taken by Crown
07/25/07	Timothy Turner	Premier Video Productions, Inc.	\$ 810.00	Deposition used in Motion for Summary Judgment
07/25/07	Timothy Turner	Demby & Associates, Inc.	\$ 1,293.95	Deposition used in Motion for Summary Judgment
08/20/08	Dean Scranton (infringement) Martin J. Higham (infringement)	Ace-Merit, LLC	\$ 1,293.60	Scranton deposition taken by Crown; both used in Motion for Summary Judgment
08/21/08	Martin J. Higham (validity) Dean Scranton (validity)	Ace-Merit, LLC	\$ 1,089.15	Scranton deposition taken by Crown; both used in Motion for Summary Judgment
12/06/06	Ball Copy of Video of Crown Site Inspection/Video of Seaming at Ball (mislabeled by Court Reporter)	Alderson Reporting Co., Inc.	\$ 145.00	Site Inspection of Ball taken by Crown
01/04/07	Crown Packaging Technology v. Ball Metal Beverage Container Case No. 3:05-cv-291 Markman Hearing	Debra Lynn Futrell	\$ 189.00	
	TOTAL		\$ 16,619.14	

**Alderson Reporting Co., Inc.**

1111 14th Street, NW 4th Floor

Washington, DC 20005-5650

Phone #: (202) 789-6308 Fax #: (202) 842-0063

E-Mail: ar@aldersonreporting.com

Federal I.D. No. [REDACTED]

**INVOICE**Payment is due 30 days  
from invoice date.

Invoice Date:

**10/13/2006**

Invoice No.

**78670**PLEASE REFERENCE  
THIS INVOICE NUMBER  
WHEN REMITTING

To:

John D. Luken, Esq.  
Dinsmore & Shohl, LLP  
255 East Fifth Street  
Suite 1900  
Cincinnati, OH 45202Atty. Acct. No.: 17828  
Case/Matter No.: 05-0281 (WHR)  
Our Ref. No.: 8884-1  
Your Ref. No.:  
Location: Broomfield, CORE: Crown Packaging Technology, Inc. vs. Ball Metal Beverage Container Corp.  
Witness: Tony Grandinetti (Day 1)  
Proceeding Date: 9/27/2006  
Classified:

Description	Qty	Amount	Charges
4 Business Day Delivery - Certified Copy - Tony	235.00	4.23	\$994.05
Exhibits (Includes paper and/or electronic copies)	537.00	0.35	\$187.95
Draft ASCII	235.00	1.50	\$352.50
Copy of Video (VHS Tape or Electronic)	5.75	45.00	\$258.75
Free Video Synchronization and Exhibit linking	1.00	0.00	\$0.00
DVD Contains PDF Exhibits, LEF Transcript and Video	1.00	0.00	\$0.00
Shipping & Handling	1.00	55.00	\$55.00
Credit Card Payment: AMEX <input type="checkbox"/> Visa <input type="checkbox"/> MasterCard <input type="checkbox"/>			
Account #:		Expiration Date:	
Registered To:		Signature:	
<b>TERMS: NET 30 DAYS</b> To ensure proper credit, please indicate Invoice Number with payment. Interest accrues at a rate of 1.5% per month.		Sub-Total: \$1,848.25 Taxes: 0.00 Interest Accrued: \$0.00 Grand Total: \$1,848.25 Amount Paid: \$0.00	
Questions? Please call our Credit Manager @ 202-336-8808. <b>Thank You For Your Business</b>		<b>TOTAL BALANCE DUE: \$1,848.25</b>	

**Alderson Reporting Co., Inc.**  
 1111 14th Street, NW 4th Floor  
 Washington, DC 20005-5650  
 Phone #: (202) 789-6308 Fax #: (202) 842-0063  
 E-Mail: [ar@aldersonreporting.com](mailto:ar@aldersonreporting.com)  
 Federal I.D. No. [REDACTED]

# INVOICE

Payment is due 30 days  
from invoice date.

To: John D. Luken, Esq.  
 Dinsmore & Shohl, LLP  
 255 East Fifth Street  
 Suite 1900  
 Cincinnati, OH 45202

Atty.Acct. No.: 17828  
 Case/Matter No.: 05-0281 (WHR)  
 Our Ref. No.: 8884-2  
 Your Ref. No.:  
 Location: Broomfield, CO

Invoice Date:

10/13/2006

Invoice No.

78672

PLEASE REFERENCE  
THIS INVOICE NUMBER  
WHEN REMITTING

RE: Crown Packaging Technology, Inc. vs. Ball Metal Beverage Container Corp.  
 Witness: Tony Grandinetti (Day 2)  
 Proceeding Date: 9/27/2006  
 Classified:

Description	Qty	Amount	Charges
4 Business Day Delivery - Certified Copy - Tony	26.00	4.23	\$109.98
Exhibits (Includes paper and/or electronic copies)	26.00	0.35	\$9.10
Copy of Video (VHS Tape or Electronic)	0.50	45.00	\$22.50
Free Video Synchronization and Exhibit linking	1.00	0.00	\$0.00
DVD Contains PDF Exhibits, LEF Transcript and Video	1.00	0.00	\$0.00
Draft ASCII	26.00	1.50	\$39.00
Shipping & Handling	1.00	55.00	\$55.00
Credit Card Payment: AMEX <input type="checkbox"/> Visa <input type="checkbox"/> MasterCard <input type="checkbox"/>			
Account #:		Expiration Date:	
Registered To:	Signature:		
<b>TERMS: NET 30 DAYS</b> To ensure proper credit, please indicate Invoice Number with payment. Interest accrues at a rate of 1.5% per month.		<b>Sub-Total:</b> <b>Taxes:</b> <b>Interest Accrued:</b> <b>Grand Total:</b> <b>Amount Paid:</b>	<b>\$235.58</b> <b>0.00</b> <b>\$0.00</b> <b>\$235.58</b> <b>\$0.00</b>

Questions? Please call our Credit Manager  
 @ 202-336-8808.

**Thank You For Your Business**

**TOTAL BALANCE DUE: \$235.58**

**Alderson Reporting Co., Inc.**

1111 14th Street, NW 4th Floor

Washington, DC 20005-5650

Phone #: (202) 789-6308 Fax #: (202) 842-0063

E-Mail: ar@aldersonreporting.com

Federal I.D. No. [REDACTED]

**INVOICE**Payment is due 30 days  
from invoice date.

Invoice Date:

**10/13/2006**

Invoice No.

**78674**PLEASE REFERENCE  
THIS INVOICE NUMBER  
WHEN REMITTINGTo: John D. Luken, Esq.  
Dinsmore & Shohl, LLP  
255 East Fifth Street  
Suite 1900  
Cincinnati, OH 45202Atty.Acct. No.: 17828  
Case/Matter No.: 05-0281 (WHR)  
Our Ref. No.: 8884-5  
Your Ref. No.:  
Location: Broomfield, CORE: Crown Packaging Technology, Inc. vs. Ball Metal Beverage Container Corp.  
Witness: Rick McCauley  
Proceeding Date: 9/28/2006  
Classified:

Description	Qty	Amount	Charges
4 Business Day Delivery - Certified Copy - Rick	43.00	4.23	\$181.89
Exhibits (Includes paper and/or electronic copies)	15.00	0.35	\$5.25
Draft ASCII	43.00	1.50	\$64.50
Free Video Synchronization and Exhibit linking	1.00	0.00	\$0.00
DVD Contains PDF Exhibits, LEF Transcript and Video	1.00	0.00	\$0.00
Copy of Video (VHS Tape or Electronic)	1.00	45.00	\$45.00
Shipping & Handling	1.00	55.00	\$55.00
Credit Card Payment: AMEX <input type="checkbox"/> Visa <input type="checkbox"/> MasterCard <input type="checkbox"/>			
Account #:		Expiration Date:	
Registered To:	Signature:		
<b>TERMS: NET 30 DAYS</b> To ensure proper credit, please indicate Invoice Number with payment. Interest accrues at a rate of 1.5% per month.		<b>Sub-Total:</b> <b>Taxes:</b> <b>Interest Accrued:</b> <b>Grand Total:</b> <b>Amount Paid:</b>	<b>\$351.64</b> <b>0.00</b> <b>\$0.00</b> <b>\$351.64</b> <b>\$0.00</b>

Questions? Please call our Credit Manager  
@ 202-336-8808.**Thank You For Your Business****TOTAL BALANCE  
DUE:****\$351.64**

**Alderson Reporting Co., Inc.**  
 1111 14th Street, NW 4th Floor  
 Washington, DC 20005-5650  
 Phone #: (202) 789-6308 Fax #: (202) 842-0063  
 E-Mail: ar@aldersonreporting.com  
 Federal I.D. No. [REDACTED]

# INVOICE

Payment is due 30 days  
from invoice date.

To: John D. Luken, Esq.  
 Dinsmore & Shohl, LLP  
 255 East Fifth Street  
 Suite 1900  
 Cincinnati, OH 45202

Atty. Acct. No.: 17828  
 Case/Matter No.: 05-0281 (WHR)  
 Our Ref. No.: 8884-3  
 Your Ref. No.:  
 Location: Broomfield, CO

Invoice Date:

10/19/2006

Invoice No.

78809

PLEASE REFERENCE  
THIS INVOICE NUMBER  
WHEN REMITTING

RE: Crown Packaging Technology, Inc. vs. Ball Metal Beverage Container Corp.  
 Witness: Bruce Doelling  
 Proceeding Date: 10/03/2006  
 Classified:

Description	Qty	Amount	Charges
10 Business Day Delivery - Certified Copy - Bruce	223.00	3.25	\$724.75
Exhibits (Includes paper and/or electronic copies)	686.00	0.35	\$240.10
Draft ASCII	223.00	1.50	\$334.50
Free Video Synchronization and Exhibit linking	1.00	0.00	\$0.00
DVD Contains PDF Exhibits, LEF Transcript and Video	1.00	0.00	\$0.00
Copy of Video (VHS Tape or Electronic)	6.25	45.00	\$281.25
Shipping & Handling	1.00	55.00	\$55.00
Credit Card Payment: AMEX <input type="checkbox"/> Visa <input type="checkbox"/> MasterCard <input type="checkbox"/>			
Account #:		Expiration Date:	
Registered To:	Signature:		
<b>TERMS: NET 30 DAYS</b> To ensure proper credit, please indicate Invoice Number with payment. Interest accrues at a rate of 1.5% per month.		<b>Sub-Total:</b> <b>Taxes:</b> <b>Interest Accrued:</b> <b>Grand Total:</b> <b>Amount Paid:</b>	<b>\$1,635.60</b> <b>0.00</b> <b>\$0.00</b> <b>\$1,635.60</b> <b>\$0.00</b>

Questions? Please call our Credit Manager  
 @ 202-336-8808.

**Thank You For Your Business**

**TOTAL BALANCE DUE: \$1,635.60**

**Alderson Reporting Co., Inc.**  
 1111 14th Street, NW 4th Floor  
 Washington, DC 20005-5650  
 Phone #: (202) 789-6308 Fax #: (202) 842-0063  
 E-Mail: ar@aldersonreporting.com  
 Federal I.D. No. [REDACTED]

# INVOICE

Payment is due 30 days  
from invoice date.

To: John D. Luken, Esq.  
 Dinsmore & Shohl, LLP  
 255 East Fifth Street  
 Suite 1900  
 Cincinnati, OH 45202

Atty. Acct. No.: 17828  
 Case/Matter No.: 05-0281 (WHR)  
 Our Ref. No.: 8884-4  
 Your Ref. No.:  
 Location: Dayton, OH

Invoice Date:

10/19/2006

Invoice No.

78799

PLEASE REFERENCE  
THIS INVOICE NUMBER  
WHEN REMITTING

RE: Crown Packaging Technology, Inc. vs. Ball Metal Beverage Container Corp.  
 Witness: Ralph Stodd  
 Proceeding Date: 10/05/2006  
 Classified:

Description	Qty	Amount	Charges
4 Business Day Delivery - Certified Copy - Ralph	255.00	4.23	\$1,078.65
Exhibits (Includes paper and/or electronic copies)	62.00	0.35	\$21.70
Draft ASCII	255.00	1.50	\$382.50
Free Video Synchronization and Exhibit linking	1.00	0.00	\$0.00
DVD Contains PDF Exhibits, LEF Transcript and Video	1.00	0.00	\$0.00
Copy of Video (VHS Tape or Electronic)	5.75	45.00	\$258.75
Shipping & Handling	1.00	55.00	\$55.00
Credit Card Payment: AMEX <input type="checkbox"/> Visa <input type="checkbox"/> MasterCard <input type="checkbox"/>			
Account #:		Expiration Date:	
Registered To:	Signature:		
<b>TERMS: NET 30 DAYS</b> To ensure proper credit, please indicate Invoice Number with payment. Interest accrues at a rate of 1.5% per month.		<b>Sub-Total:</b> <b>Taxes:</b> <b>Interest Accrued:</b> <b>Grand Total:</b> <b>Amount Paid:</b>	<b>\$1,796.60</b> <b>0.00</b> <b>\$0.00</b> <b>\$1,796.60</b> <b>\$0.00</b>

Questions? Please call our Credit Manager  
 @ 202-336-8808.

**Thank You For Your Business**

**TOTAL BALANCE DUE: \$1,796.60**



**Alderson Reporting Co., Inc.**

1111 14th Street, NW 4th Floor

Washington, DC 20005-5650

Phone #: (202) 789-6308 Fax #:(202) 842-0063

E-Mail: ar@aldersonreporting.com

Federal I.D. No. [REDACTED]

**INVOICE**Payment is due 30 days  
from invoice date.

Invoice Date:

**11/29/2006**

Invoice No.

**79915**PLEASE REFERENCE  
THIS INVOICE NUMBER  
WHEN REMITTING

To: John D. Luken, Esq.  
Dinsmore & Shohl, LLP  
255 East Fifth Street  
Suite 1900  
Cincinnati, OH 45202

Atty.Acct. No.: 17828  
Case/Matter No.: 05-0281 (WHR)  
Our Ref. No.: 8884-7  
Your Ref. No.:  
Location: Broomfield, CO

RE: Crown Packaging Technology, Inc. vs. Ball Metal Beverage Container Corp.  
Witness: Jess Bathurst  
Proceeding Date: 11/08/2006

Classified:

Description	Qty	Amount	Charges
3 Business Day Delivery - Certified Copy - Jess	195.00	4.39	\$856.05
Exhibits (Includes paper and/or electronic copies)	298.00	0.35	\$104.30
Copy of Video (VHS Tape or Electronic)	5.00	45.00	\$225.00
Free Video Synchronization and Exhibit linking	1.00	0.00	\$0.00
DVD Contains PDF Exhibits, LEF Transcript and Video	1.00	0.00	\$0.00
Draft ASCII	195.00	1.50	\$292.50
Shipping & Handling	1.00	55.00	\$55.00
Credit Card Payment: AMEX <input type="checkbox"/> Visa <input type="checkbox"/> MasterCard <input type="checkbox"/>			
Account #:		Expiration Date:	
Registered To:	Signature:		
<b>TERMS: NET 30 DAYS</b> To ensure proper credit, please indicate Invoice Number with payment. Interest accrues at a rate of 1.5% per month.		<b>Sub-Total:</b> <b>Taxes:</b> <b>Interest Accrued:</b> <b>Grand Total:</b> <b>Amount Paid:</b>	<b>\$1,532.85</b> <b>0.00</b> <b>\$0.00</b> <b>\$1,532.85</b> <b>\$0.00</b>

Questions? Please call our Credit Manager  
@ 202-336-8808.

**Thank You For Your Business**

**TOTAL BALANCE**  
**DUE:**

**\$1,532.85**

**Alderson Reporting Co., Inc.**

1111 14th Street, NW 4th Floor

Washington, DC 20005-5650

Phone #: (202) 789-6308 Fax #: (202) 842-0063

E-Mail: ar@aldersonreporting.com

Federal I.D. No. [REDACTED]

**INVOICE**Payment is due 30 days  
from invoice date.

Invoice Date:

**11/29/2006**

Invoice No.

**79918**PLEASE REFERENCE  
THIS INVOICE NUMBER  
WHEN REMITTINGTo: John D. Luken, Esq.  
Dinsmore & Shohl, LLP  
255 East Fifth Street  
Suite 1900  
Cincinnati, OH 45202Atty. Acct. No.: 17828  
Case/Matter No.: 05-0281 (WHR)  
Our Ref. No.: 8884-6  
Your Ref. No.:  
Location: Broomfield, CORE: Crown Packaging Technology, Inc. vs. Ball Metal Beverage Container Corp.  
Witness: Tuan Nguyen  
Proceeding Date: 11/09/2006  
Classified:

Description	Qty	Amount	Charges
3 Business Day Delivery - Certified Copy - Tuan	134.00	4.39	\$588.26
Exhibits (Includes paper and/or electronic copies)	60.00	0.35	\$21.00
Draft ASCII	134.00	1.50	\$201.00
Copy of Video (VHS Tape or Electronic)	4.00	45.00	\$180.00
Free Video Synchronization and Exhibit linking	1.00	0.00	\$0.00
DVD Contains PDF Exhibits, LEF Transcript and Video	1.00	0.00	\$0.00
Shipping & Handling	1.00	55.00	\$55.00
Credit Card Payment: AMEX <input type="checkbox"/> Visa <input type="checkbox"/> MasterCard <input type="checkbox"/>			
Account #:		Expiration Date:	
Registered To:	Signature:		
<b>TERMS: NET 30 DAYS</b>		<b>Sub-Total:</b>	<b>\$1,045.26</b>
To ensure proper credit, please indicate Invoice Number with payment.		<b>Taxes:</b>	<b>0.00</b>
Interest accrues at a rate of 1.5% per month: . . .		<b>Interest Accrued:</b>	<b>\$0.00</b>
		<b>Grand Total:</b>	<b>\$1,045.26</b>
		<b>Amount Paid:</b>	<b>\$0.00</b>

Questions? Please call our Credit Manager  
@ 202-336-8808.  
**Thank You For Your Business****TOTAL BALANCE  
DUE: \$1,045.26**

# INVOICE

Ace-Merit, LLC  
 30 Garfield Place  
 Suite 620  
 Cincinnati, OH 45202-4364  
 Phone: 513-241-3200 Fax: 513-241-7958

John Luken, Esq.  
 Dinsmore & Shohl  
 255 E. Fifth St., Suite 1900  
 Cincinnati, OH 45202-4719

<b>Invoice No.</b>	<b>Invoice Date</b>	<b>Job No.</b>
159246	5/8/2007	86097
<b>Job Date</b>	<b>Case No.</b>	
4/17/2007	050281	
<b>Case Name</b>		
Crown Packaging, Inc. vs. Ball Metal Beverage Container Corp.		
<b>Payment Terms</b>		
Net 30 - int. accrues @ 1.5% per month		

**1 COPY OF TRANSCRIPT OF:**

Dean Scranton/Validity		642.50
Word Index	52.00 Pages	52.00
Exhibits - Black & White	349.00 Pages	87.25
Exhibits - Color	27.00	33.75
Miscellaneous Charges		20.50
<b>TOTAL DUE &gt;&gt;&gt;</b>		<b>\$836.00</b>
AFTER 6/7/2007 PAY		\$848.54

EXHIBIT CHARGE FOR ALL THREE DAYS DEPOS  
 MISCELLANEOUS CHARGES ARE FOR TABS/BINDERS FOR EXHIBITS  
 30 DAY SIG THROUGH MR HEIST  
 COPY DEL BY COURIER 05/07/07

**Tax ID** [REDACTED]

Please detach bottom portion and return with payment.

John Luken, Esq.  
 Dinsmore & Shohl  
 255 E. Fifth St., Suite 1900  
 Cincinnati, OH 45202-4719

Job No. : 86097 BU ID : MAIN  
 Case No. : 050281  
 Case Name : Crown Packaging, Inc. vs. Ball Metal Beverage Container Corp.  
 Invoice No. : 159246 Invoice Date : 5/8/2007  
**Total Due : \$ 836.00**  
 AFTER 6/7/2007 PAY \$848.54

Remit To: **Ace-Merit, LLC**  
**30 Garfield Place**  
**Suite 620**  
**Cincinnati, OH 45202-4364**

**PAYMENT WITH CREDIT CARD**

Cardholder's Name: \_\_\_\_\_  
 Card Number: \_\_\_\_\_  
 Exp. Date: \_\_\_\_\_ Phone#: \_\_\_\_\_  
 Billing Address: \_\_\_\_\_  
 Zip: \_\_\_\_\_ Amount to Charge: \_\_\_\_\_  
 Cardholder's Signature: \_\_\_\_\_

# INVOICE

Ace-Merit, LLC  
 30 Garfield Place  
 Suite 620  
 Cincinnati, OH 45202-4364  
 Phone: 513-241-3200 Fax: 513-241-7958

John Luken, Esq.  
 Dinsmore & Shohl  
 255 E. Fifth St., Suite 1900  
 Cincinnati, OH 45202-4719

Invoice No.	Invoice Date	Job No.
159248	5/8/2007	86101
Job Date	Case No.	
4/19/2007	050281	
Case Name		
Crown Packaging, Inc. vs. Ball Metal Beverage Container Corp.		
Payment Terms		
Net 30 - int. accrues @ 1.5% per month		

**ORIGINAL/COPY OF TRANSCRIPT OF:**

Martin J. Higham/Infringement  
 Attendance

450.30  
 3.75 Hours --- 187.50

**1 COPY OF TRANSCRIPT OF:**

Dean Scranton/Infringement  
 Word Index

277.50  
 26.00 Pages 26.00

**TOTAL DUE >>> \$941.30**

AFTER 6/7/2007 PAY \$955.42

ALL EXHIBITS BILLED W/04/17/07 JOB  
 30 DAY SIG THROUGH MR HEIST  
 TRANSCRIPTS DEL BY COURIER 05/07/07

Tax ID: [REDACTED]

Please detach bottom portion and return with payment.

John Luken, Esq.  
 Dinsmore & Shohl  
 255 E. Fifth St., Suite 1900  
 Cincinnati, OH 45202-4719

Job No. : 86101 BU ID : MAIN  
 Case No. : 050281  
 Case Name : Crown Packaging, Inc. vs. Ball Metal Beverage Container Corp.  
 Invoice No. : 159248 Invoice Date : 5/8/2007  
**Total Due : \$ 941.30**  
 AFTER 6/7/2007 PAY \$955.42

Remit To: **Ace-Merit, LLC**  
**30 Garfield Place**  
**Suite 620**  
**Cincinnati, OH 45202-4364**

**PAYMENT WITH CREDIT CARD**

Cardholder's Name: \_\_\_\_\_  
 Card Number: \_\_\_\_\_  
 Exp. Date: \_\_\_\_\_ Phone#: \_\_\_\_\_  
 Billing Address: \_\_\_\_\_  
 Zip: \_\_\_\_\_ Amount to Charge: \_\_\_\_\_  
 Cardholder's Signature: \_\_\_\_\_

**Alderson Reporting Co., Inc.**  
 1111 14th Street, NW 4th Floor  
 Washington, DC 20005-5650  
 Phone #: (202) 789-6308 Fax #: (202) 842-0063  
 E-Mail: [ar@aldersonreporting.com](mailto:ar@aldersonreporting.com)  
 Federal I.D. No. [REDACTED]

# INVOICE

Payment is due 30 days  
from invoice date.

To: John D. Luken, Esq.  
 Dinsmore & Shohl, LLP  
 255 East Fifth Street  
 Suite 1900  
 Cincinnati, OH 45202

Atty. Acct. No.: 17828  
 Case/Matter No.: 05-608 (KAJ)  
 Our Ref. No.: 8637-34  
 Your Ref. No.:  
 Location: Broomfield, CO

Invoice Date:

**12/28/2006**

Invoice No.

**80552**

PLEASE REFERENCE  
THIS INVOICE NUMBER  
WHEN REMITTING

RE: Crown Packaging Technology, Inc. et al. vs. Rexam Beverage Can Co.  
 Witness: Leon Midgett  
 Proceeding Date: 12/07/2006

Description	Qty	Amount	Charges
3 Business Day Delivery - Certified Copy - Leon	91.00	4.39	\$399.49
Exhibits (Includes paper and/or electronic copies)	31.00	0.35	\$10.85
Free Video Synchronization and Exhibit linking	1.00	0.00	\$0.00
DVD Contains PDF Exhibits, LEF Transcript and Video	1.00	0.00	\$0.00
Copies DVD Video syched to transcript	2.50	45.00	\$112.50
Draft ASCII	91.00	1.50	\$136.50
Shipping & Handling	1.00	55.00	\$55.00
Credit Card Payment: AMEX <input type="checkbox"/> Visa <input type="checkbox"/> MasterCard <input type="checkbox"/>			
Account #:		Expiration Date:	
Registered To:	Signature:		
<b>TERMS: NET 30 DAYS</b> To ensure proper credit, please indicate Invoice Number with payment. Interest accrues at a rate of 1.5% per month.		Sub-Total:	\$714.34
		Taxes:	0.00
		Interest Accrued:	\$0.00
		Grand Total:	\$714.34
		Amount Paid:	\$0.00

Questions? Please call our Credit Manager  
 @ 202-336-8808.

**Thank You For Your Business**

**TOTAL BALANCE  
DUE:**

**\$714.34**

**Alderson Reporting Co., Inc.**

1111 14th Street, NW 4th Floor

Washington, DC 20005-5650

Phone #:(202) 289-2260 Fax #:(202) 289-2221

E-Mail: ar@aldersonreporting.com

Federal I.D. No. [REDACTED]

**INVOICE**Payment is due 30 days  
from invoice date.

Invoice Date:

6/08/2007

Invoice No.

85037

PLEASE REFERENCE  
THIS INVOICE NUMBER  
WHEN REMITTING

To: Charles H. Brown, Esq.  
Dinsmore & Shohl, LLP  
255 East Fifth St  
Suite 1900  
Cincinnati, OH 45202

Atty.Acct. No.: 19080  
Case/Matter No.: 05-608 (KAJ)  
Our Ref. No.: 8637-45  
Your Ref. No.:  
Location: Chicago, IL

RE: Crown Packaging Technology, Inc. et al. vs. Rexam Beverage Can Co.  
Witness: Andrew Carter  
Proceeding Date: 5/30/2007  
Classified:

Description	Qty	Amount	Charges
3 Business Day Delivery - Certified Copy - Andrew	238.00	4.39	\$1,044.82
Exhibits (Includes paper and/or electronic copies)	120.00	0.35	\$42.00
Draft ASCII	238.00	1.50	\$357.00
Free Exhibit Linking to Transcript	1.00	0.00	\$0.00
CD Contains PDF Exhibits and LEF Transcript	1.00	0.00	\$0.00
Shipping & Handling	1.00	55.00	\$55.00
Credit Card Payment: AMEX <input type="checkbox"/> Visa <input type="checkbox"/> MasterCard <input type="checkbox"/>			
Account #:		Expiration Date:	
Registered To:	Signature:		
<b>TERMS: NET 30 DAYS</b> To ensure proper credit, please indicate Invoice Number with payment. Interest accrues at a rate of 1.5% per month.		<b>Sub-Total:</b> <b>Taxes:</b> <b>Interest Accrued:</b> <b>Grand Total:</b> <b>Amount Paid:</b>	<b>\$1,498.82</b> <b>0.00</b> <b>\$0.00</b> <b>\$1,498.82</b> <b>\$0.00</b>

Questions? Please call our Credit Manager  
@ 202-336-8808.

**Thank You For Your Business**

**TOTAL BALANCE**  
**DUE:**

**\$1,498.82**

**Premier Video Productions, Inc.**

1511 57th Avenue West  
 Bradenton, FL 34207  
 941-753-1910

**Invoice**

Date	Invoice #
7/31/2007	5492

Bill To
Dinsmore & Stohl Clayton L. Kuhnell, Esquire 255 East Fifth Street Suite 1900 Cincinnati, OH 45202

Case Style	Crown v. Ball
Case Number	050281

Terms	
Net-30	
EIN:	Rep
[REDACTED]	TB

Quantity	Description	Rate	Amount
	July 25, 2007: First hour of videotaped deposition of TIMOTHY TURNER, from 8:15 a.m. to 12:00 p.m. and from 12:45 p.m. to 3:30 p.m.	200.00	200.00
6	Additional hours	100.00	600.00
	Priority Mail	10.00	10.00

Thank you for your business.

<b>Total</b>	<b>\$810.00</b>
<b>Payments/Credits</b>	<b>\$0.00</b>
<b>Balance Due</b>	<b>\$810.00</b>

**DEMBY & ASSOCIATES, INC.**

P.O. BOX 490

SARASOTA, FLORIDA 34230-0490

TAX I.D. NO. [REDACTED]

<b>BILL TO</b>
DINSMORE & SHOHL, LLP 255 E FIFTH STREET, SUITE 1900 CINCINNATI, OHIO 45202

<b>DATE</b>	8/27/2007
<b>INVOICE #</b>	5828

<b>TERMS</b>	NET 30 DAYS
<b>JOB NO.</b>	707144

DATE TAKEN	7/25/2007	CASE	CROWN V. BALL	REPORTER	D
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QUANTITY	DESCRIPTION	RATE	AMOUNT
6.5	HOUR(S) APPEARANCE FEE AT THE DEPOSITION(S) OF TIM TURNER	55.00	357.50
185	ORIGINAL AND ONE COPY, TECHNICAL/MEDICAL TESTIMONY OF TIM TURNER (ENGINEERING)	4.75	878.75
122	COPIES OF EXHIBITS, MARKED AND ATTACHED	0.35	42.70
	REIMBURSE FOR OVERNIGHT DELIVERY	15.00	15.00
		<b>Total</b>	<b>\$1,293.95</b>



# INVOICE

Ace-Merit, LLC  
 30 Garfield Place, Suite 620  
 Cincinnati, OH 45202-4364  
 Phone: 513-241-3200 Fax: 513-241-7958

John Luken, Esq.  
 Dinsmore & Shohl  
 255 E. Fifth St., Suite 1900  
 Cincinnati, OH 45202-4719

Invoice No.	Invoice Date	Job No.
165258	9/5/2008	92165
Job Date	Case No.	
8/20/2008	050281	
Case Name		
Crown Packaging Tech., Inc. vs. Ball Metal Beverage Container Corp.		
Payment Terms		
Net 30 - int. accrues @ 1.5% per month		

**COPY/MINI/ROUGH ASCII/REALTIME OF DEPOSITION OF:**

Dean Scranton/Infringement		232.80
Realtime Hookup	97.00 Pages	145.50
Condensed	97.00 Pages	48.50

**ORIGINAL/COPY/ROUGH ASCII/REALTIME OF DEPOSITION OF:**

Martin J. Higham/Infringement		378.30
Attendance	4.00 Hours	260.00
Realtime Hookup	97.00 Pages	145.50
Exhibits - Black & White	215.00 Pages	53.75
Exhibits - Color	19.00	23.75
Courier		5.50

<b>TOTAL DUE &gt;&gt;&gt;</b>	<b>\$1,293.60</b>
AFTER 10/5/2008 PAY	\$1,313.00

30 DAY SIGS: MR SCRANTON THROUGH YOUR COPY  
 MR HIGHAM THROUGH MR HEIST  
 TRANSCRIPTS DEL BY COURIER 08/29/08

Tax ID: [REDACTED]

*Please detach bottom portion and return with payment.*

John Luken, Esq.  
 Dinsmore & Shohl  
 255 E. Fifth St., Suite 1900  
 Cincinnati, OH 45202-4719

Job No. : 92165 BU ID : MAIN  
 Case No. : 050281  
 Case Name : Crown Packaging Tech., Inc. vs. Ball Metal Beverage Container Corp.  
 Invoice No. : 165258 Invoice Date : 9/5/2008  
 Total Due : \$ 1,293.60  
 AFTER 10/5/2008 PAY \$1,313.00

Remit To: **Ace-Merit, LLC**  
**30 Garfield Place, Suite 620**  
**Cincinnati, OH 45202-4364**

**PAYMENT WITH CREDIT CARD**

Cardholder's Name: \_\_\_\_\_  
 Card Number: \_\_\_\_\_  
 Exp. Date: \_\_\_\_\_ Phone#: \_\_\_\_\_  
 Billing Address: \_\_\_\_\_  
 Zip: \_\_\_\_\_ Card Security Code: \_\_\_\_\_  
 Amount to Charge: \_\_\_\_\_  
 Cardholder's Signature: \_\_\_\_\_

# INVOICE

Ace-Merit, LLC  
 30 Garfield Place, Suite 620  
 Cincinnati, OH 45202-4364  
 Phone: 513-241-3200 Fax: 513-241-7958

John Luken, Esq.  
 Dinsmore & Shohl  
 255 E. Fifth St., Suite 1900  
 Cincinnati, OH 45202-4719

<b>Invoice No.</b>	<b>Invoice Date</b>	<b>Job No.</b>
165273	9/5/2008	92166
<b>Job Date</b>	<b>Case No.</b>	
8/21/2008	050281	
<b>Case Name</b>		
Crown Packaging Tech., Inc. vs. Ball Metal Beverage Container Corp.		
<b>Payment Terms</b>		
Net 30 - int. accrues @ 1.5% per month		

**ORIGINAL/COPY/ROUGH ASCII/REALTIME OF DEPOSITION OF:**

Martin J. Higham/Validity		362.70
Attendance	3.75 Hours	243.75
Realtime Hookup	93.00 Pages	139.50

**COPY/ROUGH ASCII/REALTIME OF DEPOSITION OF:**

Dean Scranton/Validity		211.20
Realtime Hookup	88.00 Pages	132.00

<b>TOTAL DUE &gt;&gt;&gt;</b>	<b>\$1,089.15</b>
AFTER 10/5/2008 PAY	\$1,105.49

30 DAY SIGS: MR SCRANTON THROUGH YOUR COPY  
 MR HIGHAM THROUGH MR HEIST  
 TRANSCRIPTS DEL BY COURIER 08/29/08

Tax ID: [REDACTED]

*Please detach bottom portion and return with payment.*

John Luken, Esq.  
 Dinsmore & Shohl  
 255 E. Fifth St., Suite 1900  
 Cincinnati, OH 45202-4719

Job No. : 92166 BU ID : MAIN  
 Case No. : 050281  
 Case Name : Crown Packaging Tech., Inc. vs. Ball Metal Beverage Container Corp.  
 Invoice No. : 165273 Invoice Date : 9/5/2008  
 Total Due : \$ 1,089.15  
 AFTER 10/5/2008 PAY \$1,105.49

Remit To: Ace-Merit, LLC  
 30 Garfield Place, Suite 620  
 Cincinnati, OH 45202-4364

**PAYMENT WITH CREDIT CARD**

Cardholder's Name: \_\_\_\_\_  
 Card Number: \_\_\_\_\_  
 Exp. Date: \_\_\_\_\_ Phone#: \_\_\_\_\_  
 Billing Address: \_\_\_\_\_  
 Zip: \_\_\_\_\_ Card Security Code: \_\_\_\_\_  
 Amount to Charge: \_\_\_\_\_  
 Cardholder's Signature: \_\_\_\_\_

**Alderson Reporting Co., Inc.**

1111 14th Street, NW 4th Floor

Washington, DC 20005-5650

Phone #: (202) 789-6308 Fax #: (202) 289-8850

E-Mail: ar@aldersonreporting.com

Federal I.D. No. [REDACTED]

**INVOICE**

Reprinted On: 5/09/2007

To:

John D. Luken, Esq.  
Dinsmore & Shohl, LLP  
255 East Fifth Street  
Suite 1900  
Cincinnati, OH 45202

Atty. Acct. No.: 17828  
Case/Matter No.: 05-608 (KAJ)  
Our Ref. No.: 8637-35  
Your Ref. No.:  
Location: Broomfield, CO

Invoice Date:

1/03/2007

Invoice No.

80708

RE: Crown Packaging Technology, Inc. et al. vs. Rexam Beverage Can Co.  
Witness: NA NA Classified:  
Proceeding Date: 12/06/2006

PLEASE REFERENCE  
THIS INVOICE NUMBER  
WHEN REMITTING

Description	Qty	Amount	Charges
Copies of Video	2.00	45.00	\$90.00
Shipping & Handling	1.00	55.00	\$55.00
<b>REMINDER</b>			

Credit Card Payment: AMEX ☐ Visa ☐ MasterCard ☐

Account #:

Expiration Date:

Registered To:

Signature:

**TERMS: NET 30 DAYS**

To ensure proper credit, please indicate Invoice Number with payment.  
Interest accrues at a rate of 1.5% per month.

Sub-Total:	145.00
Interest Accrued:	0.00
Grand Total:	145.00
Amount Paid:	0.00

Questions? Please call our Credit Manager @ 202-789-6308.

**TOTAL BALANCE DUE: 145.00****Thank You For Your Business**

# Alderson

COURT REPORTING

May 9, 2007

John Luken, Esq.  
Dinsmore & Shohl, LLP  
255 East Fifth Street  
Suite 1900  
Cincinnati, OH 45202

Hello Mr. Luken,

I am writing today in reference to an unpaid invoice that has come up in our system. The invoice pertains to the Crown Packaging Technology, Inc. et al. vs. Rexam Beverage Can Co. matter and copies of videos that were ordered in reference to a site inspection of Ball Corporation in Broomfield, Colorado.

If you would please contact us to discuss the invoice, we would appreciate it. I can be reached directly at 202-336-8832.

Thank you and have a good day.



Matt Seal  
Business and Resource Development Director

Enclosure

1111 14th Street Northwest  
Washington, DC 20005

P 202.289.2260

F 202.289.2221

800.367.3376

[www.aldersonreporting.com](http://www.aldersonreporting.com)

Luken189.txt

1

DEBRA LYNN FUTRELL  
REGISTERED PROFESSIONAL REPORTER  
8720 Taylorsville Road  
Dayton OH 45424-6338

(937) 237-8620  
Email: dfutrell@woh.rr.com

Inv. No. 07-DF-8

January 17, 2007

INVOICE FOR COURT REPORTING SERVICES

To: John Luken, Esq.  
John.luken@dinslaw.com

Re: Crown Packaging Technology v Ball Metal Beverage  
Container  
Case No. 3:05-cv-281  
United States District Court  
For the Southern District of Ohio  
January 4, 2007 Transcript of Proceedings  
Markman Hearing

Amount Due \$ 189.00

- Thank you -

**CERTIFICATE OF SERVICE**

I hereby certify that on this 18th day of December 2012, I electronically filed the foregoing, with attachments, with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

James H. Greer  
Bieser, Greer & Landis, LLP  
400 Nation City Center  
6 North Main Street  
Dayton, OH 45402

Dale M. Heist  
Woodcock Washburn, LLP  
Cira Centre, 12th Floor  
2929 Arch Street  
Philadelphia, Pennsylvania 19104

/s/ John D. Luken